

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: SB358

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Stuart

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Seafood Industry Employment Ombudsman; office created.

5. Summary: Directs the Commissioner of Marine Resources to appoint a Seafood Industry Employment Ombudsman (the Ombudsman) and establish an Office of the Seafood Industry Employment Ombudsman (the Office) to assist employees and employers in the seafood industry in understanding their rights and the processes available to them, including rights and processes available according to the laws and regulations governing temporary worker visas.

The bill requires that the Ombudsman is an attorney and provides that the Ombudsman and Office personnel are immune from civil liability in their performance of their duties. The bill also requires the Office to maintain the confidentiality of records and exempts confidential materials and communications from mandatory disclosure under the Virginia Freedom of Information Act. Finally, the bill authorizes the Marine Resources Commission to adopt regulations necessary to carry out the provisions of the bill.

6. Budget Amendment Necessary: Yes. Item 391, HB30/SB30 as introduced

7. Fiscal Impact Estimates: Preliminary. See item 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2023	\$250,000	-	General fund
2024	\$250,000	-	General fund
2025	\$250,000	-	General fund
2026	\$250,000	-	General fund
2027	\$250,000	-	General fund
2028	\$250,000	-	General fund
2029	\$250,000	-	General fund

8. Fiscal Implications: The Marine Resources Commission (MRC) anticipates a fiscal impact of \$250,000 to contract an attorney to perform the duties required by this bill. This estimate is based on an estimated 1,000 hours per year, with an anticipated rate of \$250 per billable hour.

The MRC also considered an in-house approach to the establishment of this office. Such approach would have a general fund impact of \$290,374 the first year, and \$270,443 and two positions thereafter. This would include an attorney, an office assistant, and required equipment and space. The MRC anticipates that the contract approach will be more efficient, and feasible, given that the agency indicates that it does not currently have sufficient office the space for personnel additions.

9. Specific Agency or Political Subdivisions Affected: Marine Resources Commission

10. Technical Amendment Necessary: No.

11. Other Comments: None.